

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FORTINET, INC.,  
Plaintiff,  
v.  
SOPHOS, INC., et al.,  
Defendants.

Case No. [13-cv-05831-EMC](#) (DMR)

**ORDER RE: JOINT STATUS REPORT;  
ORDER TO MEET AND CONFER**

Re: Dkt. Nos. 170, 176

The parties have filed the joint discovery status report which the court previously ordered the parties to file. *See* Docket Nos. 170, 176.

In the letter, Fortinet contends that the discovery produced by Sophos since the court's previous order justifies a "targeted re-opening of fact discovery for Fortinet only, for the sole and limited purpose of discovery related to information produced pursuant to [Docket No. 170]." Docket No. 176 at 2-3. Specifically, Fortinet seeks additional depositions and additional written discovery, and believes it will take eight weeks to complete this discovery. Sophos is amenable to allowing Fortinet to conduct some further depositions, but believes additional written discovery is inappropriate. Sophos also does not agree that Fortinet's additional discovery period should last eight weeks, as that "will make the existing case deadlines unworkable relative to such things as expert discovery and dispositive motions filing dates." Docket No. 176 at 5.

The parties are directed to meet and confer regarding the scope and timing of discovery beyond the fact discovery cutoff. The parties may reach an agreement on this matter without court intervention so long as that agreement does not affect the remaining case management deadlines, e.g., the last day to hear dispositive motions or the pretrial conference. However, the parties must bring a motion before Judge Chen if they are seeking an extension of fact discovery that will affect

those case management deadlines.

**IT IS SO ORDERED.**

Dated: July 20, 2015



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Donna M. Ryu  
United States Magistrate Judge